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37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

April 26, 2001      Matt Bellinger  
Date      Matt Bellinger

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Yeh

Serial No.: 09/484,964

Filed: January 18, 2000

For: COMPOSITIONS AND USES FOR A  
NOVEL CELL-DEATH-PROTECTING  
PROTEIN

Group Art Unit: 1633

Examiner: Chen, S.

Atty. Dkt. No.: UTSH:248

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES DATED MARCH 14, 2001**

Commissioner for Patents  
Washington, D.C. 20231

Commissioner:

This paper is submitted in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated March 14, 2001 for which the thirty-day date for response was April 13, 2001.

A request for a one-month extension of time to respond is included herewith along with the required fee. This one-month extension will bring the due date to May 13, 2001, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider

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this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/10021106/GNS.

Reconsideration of the application is respectfully requested.

### **RESPONSE**

Applicant is filing herewith a Statement as Required Under 37 C.F.R. § 1.825(A) and (B) and Statement as Required Under 37 C.F.R. § 1.821(g). Attached to the Statement is a paper copy of the Sequence Listing, as well as a disk containing a computer-readable version of the Sequence Listing.

### **PETITION FOR EXTENSION OF TIME**

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of one month to and including May 13, 2001 in which to respond to the Office Action dated March 14, 2001. Pursuant to 37 C.F.R. § 1.17, the extension fee is \$55.00. A check is enclosed. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/10021106/GNS.

### **CONCLUSION**

Applicants believe that the foregoing remarks fully respond to all outstanding matters for this application. Should the Examiner desire to sustain any of the rejections discussed in relation

to this Response, the courtesy of a telephonic conference between the Examiner, the Examiner's supervisor, and the undersigned attorney at 512-536-3081 is respectfully requested.

Respectfully submitted,

Reg # 46,547

*Matt Bellinger* for

Gina N. Shishima  
Reg. No. 45,104  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
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Date: April 26, 2001

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Group Art Unit: 1633

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**STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.825(a) AND (b)**  
**AND STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(g)**

Commissioner for Patents  
Washington, D.C. 20231

Commissioner:

Submitted herewith is a substitute computer readable form and a substitute paper copy of the sequence listing of those sequences in the captioned patent application. The substitute computer readable form of the sequence listing is the same as the substitute paper copy of the sequence listing. The sequence information provided in the Specification is also the same as the sequence listing of the enclosed substitute computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Respectfully submitted,

Reg # 46,547

*Matt Belling* for

Gina S. Shishima

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Attorney for Applicant

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Date: April 26, 2001